

Tax Committee Meeting

The Joint Tax Committee met on August 26, 2009. In attendance were Councilman Cohn, Councilwoman Evans, Melana Mears and Ron Ciotti of ACTION-Housing, School Board Member Karen Payne, Bruce Dakan – Director of Business Affairs for the Wilkinsburg School District, Wayne Gerhold and Daniel Friedson of the Law Offices of Wayne D. Gerhold, Kate Luxemburg, Joel Segel – Allegheny County Economic Development Department, Peter Patterson – CP Development, Greg Whitted – Pittsburgh Housing and Development, and Marla Marcinko – Borough Manager. The following matters were discussed:

1. Representatives from ACTION-Housing were present and provided an update on the Peebles Square project. Mr. Gerhold and Mr. Friedson will look at the legislation to determine whether the 5 houses already under construction can be eligible for tax exemption.
2. Update on Tax Base Expansion Ordinance and Resolution – The School Board is expected to take action on the resolution at their meeting of 9/22. Allegheny County would like a rundown of the administrative process and a formal written request seeking their involvement in this process – specifically, how they fit into the decision-making process. Mr. Dakan and Ms. Marcinko will issue the letter on behalf of the School District and Borough. Richard Ranii and Councilman Robinson are also to receive copies. Mr. Friedson indicated that he had worked with Jackson Clark on a guide/fact sheet for the application process. Ms. Evans will check with Pat Clark on the PR materials. Mr. Cohn and Mr. Friedson will work on a narrative for the County to outline their involvement in the process.
3. Ms. Evans and Mr. Friedson will work on an outline of remedies for possible problems which may be encountered with abatement or exemption, specifically collusion.
4. Sheriff's Sales - The committee proposes that the School District would pay for 60% of the legal fees for any shared Sheriff's Sales and the Borough would pay 40% as this is a proportionate split based upon millage collected by each body. It is further recommended that the Borough and School District issue a RFP for legal services to handle these sales. The Committee will examine the various reports dealing with blight and potential redevelopment areas and will decide on a scope for the start of the Sheriff's Sale process at the next meeting. Mr. Friedson will draft the RFP. Ms. Marcinko will arrange for a meeting between Portnoff, the solicitors for the Borough and School District, Ms. Marcinko, Mr. Dakan and Attorney Friedson to discuss this process and Portnoff's role in same.

5. There was discussion about how to handle occupied buildings in the business district which are more than 3 years' tax delinquent and presumably collecting rents. These properties should be considered for Sheriff's Sale.
6. New contract terms for delinquent tax collection were discussed. The Committee needs to identify those properties that should proceed to Sheriff's Sale and approach Portnoff to discuss each specifically. This should also be discussed in the meeting which is to be scheduled.
7. The percentage of legal fees as part of the total tax delinquency on properties was discussed.

Next Meeting Date: September 29, 9:30 AM

ITEMS FOR NEXT AGENDA:

RFP for joint Sheriff's Sales

County documents

Remedy Sheet

Review of meeting with Portnoff

Comp Plan/Business District Revitalization Plan

The Joint Steering Committee met on August 26, 2009. Delta had anticipated delivering a first draft of the Plans but did not feel comfortable doing so without consensus from the Committee on a couple of issues. The Committee discussed neighborhood revitalization strategies and the extent to which to include the school district in the Plan. It was agreed that the Plan should not address specific strategies for the School District but should include a very general discussion of the significant features. The Committee evaluated and discussed proposed redevelopment focus areas and recommended adjustments.

The Final Presentation for the Five-Year Plan and Financial Management Study will be postponed until the EIP Committee has the opportunity to review the General Government Management Review. This meeting has originally been proposed for 9/23.

The final draft of the Comprehensive Plan has been provided to the Steering Committee. The meeting scheduled for September 30 has been cancelled.

Oversight Committee Meeting

Please see your folders for minutes from the last meeting on August 27, the agenda for the next meeting which has been rescheduled to October and updated action steps and project summaries.

Request for Use Varaiance

Cornell Companies (Abraxas) submitted a Zoning Permit Application back in June for a change in use for their facility located at 306 Penn Avenue. It was determined that the proposed use fit the definition of a "Group Care Facility" as defined in the Wilkesburg Borough Zoning Code, which is a permitted use in the Institutional Zone in which their site is located. The definition limits the number of residents to nineteen (19) so the permit with the condition that occupancy was limited to 19 residents. Abraxas currently provides services to approximately 72 female juveniles. They are proposing to provide services (including housing) to 108, predominantly male and some female, adults from the federal prison system.

In order to receive approval for a use variance, the applicant must demonstrate hardship. Basically, that is to say that the property cannot be "developed" for ANY purpose under the existing provision of the zoning ordinance. That is a very difficult burden. Dave Gilliland inquired at the hearing whether the building could be used for a legally conforming use such as a nursing or personal care home and Cornell responded that it was a nursing home before and that it could not continue to operate so it closed. They could not cite a reason for the closure and Dave pointed out that all the features they already had in place, such as cameras and alarmed exits, were common to nursing homes so it seemed that would be a practical alternative, conforming use.

The hearing has been continued to September 30 at 7:00 PM in the third floor auditorium. This is a public meeting. As the Zoning Hearing Board is a quasi-judicial body, Council members should refrain from speaking with Board members regarding this matter.

Special Presentation

Gary J. Livacari, Strategic Planner and Government Affairs Manager for the U.S. Army Corps of Engineers, Pittsburgh District contacted me regarding a project that is being proposed to study the flooding problems in the entire Turtle Creek watershed. They have asked to speak with you about this at your meeting on 9/16.

Special Meeting

At the request of President Moore, a special meeting will be advertised for Monday, September 21 at 6:00 PM for the purpose of discussing proposed legislation relating to public safety issues which you were provided on August 13, 2009. This includes the public camera system legislation as well as legislation relating to animals running at large, reporting requirements for pawn shops and loitering.

Please see your folders for copies of model nuisance properties ordinances. A copy of the Berwick Borough and Homestead Borough ordinances have been included. These ordinances have withstood court challenges, I believe to the level of the State Supreme Court. Pat McGrail had drafted an ordinance based on these models a couple of years ago and a copy of that has also been provided.

Following your meeting of September 21 at 6:00 PM wherein proposed legislation relating to public safety issues was discussed, amended copies reflecting the changes you requested have also been included in your folders. These ordinances, with the exception of the ordinance relating to public security camera systems which has already been authorized for advertisement, will be on your October 21 agenda for first reading.

Hunter Park

East Coast Paving will be installing the new benches at Hunter Park on 9/12/09.

The lighting project is scheduled to commence on Tuesday, September 15.

Infrastructure Committee Report

Please see your folders for copies of the Engineer's Report for September 4, 2009.

Sustainable Pittsburgh Proposal

Sustainable Pittsburgh has been authorized to proceed with the fundraising campaign for the Sustainability Assessment per your discussion at the Council meeting on 9/16.

As you were advised in my weekly report last week, The Pittsburgh Foundation is launching a website called PittsburghGives. This site enables the public to review lots of nonprofit organizations' profiles and give donations on-line to the organizations they choose. SP is one of those featured on the site. To launch the site, the Pittsburgh Foundation is holding a giving blitz on Oct. 28. Starting at

10:00 am, funds donated on-line will be matched .50 cents on the dollar by the Foundation until their kitty of \$200k runs out (probably in one hour). SP would promote this project to reach a goal of \$17,681 in order to close the gap in funding to conduct the Wilkinsburg Sustainability Assessment.

If insufficient donations are made (we'd need gifts of \$11,700 with the Pittsburgh Foundation match of \$5,850 match, for a total raised of \$17,550), we could go back to the Pittsburgh Foundation for the balance, continue to seek support from the Heinz Endowments or consider paring back the scope of work to meet budget.

2010 MMO

Copies of the 2010 MMO have been provided in your folders as required by law by September 30, 2009.

CITF

The public hearing for these properties was held on 9/16 at 5:30 PM.

(the following were on the prior application)

1337 Chelsea Street	233-G-285	Peyton and Rose Tomblin
513 Coal Street	233-J-058	Reno Wallace
1112-1114 Hill	232-P-084	John and Mary Johnson
1705 Maplewood	232-F-087	Alicia McClung
512 North	175-M-77	DeHaven Thompson
509 Pitt	176-C-342	Roseland Jean and Alan Watson
1313 LaBelle St.	232-M-197	Huston & Bettie Motley
1126 Park a/k/a 1125 Glenn	232-P-34	1126 Park Avenue Land Trust
1025 Maple	232-K-301	Stephen T. Millender
1023 Maple	232-K-302	Dorothy Belcher
1316 Swissvale	232-P-073	Charles A. Groomes

(the following were requested by the Fire Department and verified by the engineer to be extremely dangerous and a threat to public safety)

7962 Tioga Center	175-H-329	Zoe Christian Community
7966 Tioga	175-H-325	George L. Moore
1521 Wood St.	175-H-323	Raymond Johnson
1515 Wood St.	175-H-318	Kay B. Jones

(the following were added at the direction of Ms. Ervin to the Borough Engineer)

754 Glenn	232-J-154	Connie McNeil
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1312 Hunter Management	232-P-141	Independent Executive
1313 Hunter 1570 Clark 1225 Hill – Borough owned 1511 Hunter	232-P-189	Louis, Jr. & Mary R. Coker

Finance Committee Meeting

The Finance Committee met on August 31, 2009. In attendance were Chairperson Cohn, David Egler, Finance Director and Marla Marcinko, Borough Manager.

1. Mr. Egler provided the year-to-date report on revenues and expenditures and a summary of key areas.
2. All tenant information from the Tenant Registration process has been submitted to Berkheimer. All of the data is to be entered into the Land Management Database. Ms. Debora Jackson bid into the Clerk/Secretary position for Code Enforcement and the Finance Clerk I position has been filled with a temporary employee. Mr. Egler will follow up with Freedom Systems on additional training needed for Code Enforcement on the Land Management Database system.
3. It was suggested that the matter of hiring an additional Parking Enforcement Officer (position has been vacant for over a year) be forwarded to the Personnel Committee.
4. The Department Heads have responded very well to entering their budget data into the Prism system. All have received copies of the detailed Transaction Registers in order all expenditures are picked up and entered into proper line-item categories.
5. The Final Presentation of the Five-Year Plan and Financial Management Study will have to be postponed in order to provide the EIP Committee with the opportunity to review the General Government Management Review.
6. The Committee continued discussion on the Action Items from Steps 1 and 2 of the Five-Year Plan and Financial Management Study. Mr. Egler and Ms. Marcinko will review all of the recommendations and develop a specific, prioritized action plan focusing on those recommendations that

will have the greatest positive financial impact and can be accomplished over the next 6-12 months.

7. The Committee recommended that the Pension Board take action to review the performance of the pension investments and authorize that a consultant be retained to assist with the Request for Proposals process to evaluate whether and how to optimize/maximize investment performance.

Budget Schedule

Copies of the budget schedule were provided in your folders last week. Budget work sessions will be advertised for October 14, October 28 and November 12 at 7:00 PM.

Window Replacement Project

Pella was in this week to measure the windows scheduled for replacement. The order will be submitted for fabrication which will take approximately 4 weeks.

Public Art Review Process

The Committee met on 9/15 and continued reviewing the proposed legislation creating a Public Art Review Board and process. No additional changes were received from the Committee and it has been forwarded to the Borough Solicitor for final review. Once her comments are received and any needed changes made, the ordinance will be forwarded to full Council, hopefully by October 9. It is proposed that the ordinance be authorized for advertisement at the meeting on October 21 and that a special public meeting be held on October 29 to receive public comment.

Parks and Recreation Advisory Board

Over the past several months, the Parks & Recreation Advisory Board and the Parks and Recreation Committee have been working on updates to the ordinances relating to Public Gatherings, Parks and Recreation Areas and fee resolution. Copies of this proposed legislation has been provided in your folders along with copies of the current legislation. These ordinances will be proposed for advertisement at your meeting on October 21 with adoption proposed for November 18.